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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CHRISTOPHER GARZA,

Plaintiff,

v.

CITY OF SALEM, an Oregon municipal
corporation; and OFFICER DAVID
BAKER, an individual,

Defendants.

Case No. 3:22-cv-00721-HZ

**JOINT SUBMISSION OF MOTIONS IN
LIMINE**

Pursuant to the Trial Management Order, the parties have conferred and agreed upon
the following checklist of motions in limine for the court to consider:

Plaintiff's Motions in Limine		
No.	Title of Motion in Limine	Ruling
1.	no ref. to prior bad acts of plaintiff	
2.	no ref. to past incarcerations of the plaintiff	
3.	no reference to any physical conditions, infirmities, or body parts of the plaintiff other than those relevant to his specific claims of damage	
4.	no reference to any mental health conditions or diagnoses of plaintiff.	
5.	no reference to plaintiff ever having been sued by collection agencies or any other parties	
6.	no reference to any allegations of drug or alcohol abuse or drug seeking behavior at any time by plaintiff	
7.	no reference to plaintiff's employment history	
8.	no reference to prior 911 or police calls to or from the tire shop (objection to witness Garza)	
9.	no reference to the entry in Defendant Baker's police report re: had in the past called to report suspicious people digging through cars in the parking lot (objection to witness Garza)	
10.	no reference to plaintiff's opinion or lack thereof regarding "whether an officer should be suspicious when he sees three guys hanging around . . . car with a hood up after midnight at closed tire shop?"	
11.	no reference to defendant Baker's description of Juan Carlos Gomes-Vallez as intoxicated	
12.	no reference to any prior interactions between plaintiff and any law enforcement officers	

13.	no reference to any prior arrests of plaintiff	
14.	no reference to taxpayer funds being used to pay a jury award	
15.	no reference to any defendant's ability to pay any money award	
16.	no questions or reference to what the plaintiff would do with any money award	
17.	no reference to plaintiff attempting to "win the lottery" or trying to get a "jackpot verdict"	
18.	no reference to any argument about good works, outreach to the community, or charity work done by defendants Baker and/or the Salem Police.	
19.	no reference to unpaid medical bills or medical insurance	
20.	no evidence regarding plaintiff's mitigation or lack thereof of his injuries absent medical foundation for this evidence	
21.	no reference to any collateral source income including any disability or other benefits plaintiff has received or may receive (objection to witnesses Garza and Faciszewski)	
22.	no reference to Social Security disability or insurance claims by plaintiff, or to plaintiff being "on disability" or "found to be disabled." (objection to witness Garza and Faciszewski)	
23.	no reference to Plaintiff's two divorces or child support obligations	
24.	no mention of plaintiff's wealth or poverty	
25.	no reference to testimony or exhibits that were excluded by the Court	
26.	no reference whatsoever to any financial interests that plaintiff's	

	attorneys might have in the outcome of the case	
27.	no comment whatsoever about any of the trial lawyers	
28.	No personal opinions of counsel	

Defendants' Motions in Limine		
No.	Title of Motion in Limine	Ruling
1.	Calls to action	
2.	Arguments designed to appeal to racial or local prejudice	
3.	Lawyers' former lawsuits against law enforcement agency, including the Salem Police Department	
4.	Reference to news stories about unrelated use of force by peace officers	
5.	Arguments or eliciting testimony that is focused toward racial animus or bias per Opinion & Order	
6.	Testimony or arguments that address whether Ofc. Baker's conduct should be considered criminal	
7.	Expert opinions offered by fact witnesses [<i>Def. Objection to Witness Richard Tobin, M.D. & Ex. 14</i>]	
8.	Limiting Adam Bercovici's expert testimony [<i>Def. Objection to Witness Adam Bercovici & Ex. 10</i>]	

DATED: October 18, 2023

s/ Sebastian Tapia
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